

**PATENT** 

Attorney Docket No.: BECK1250

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Mills et al.

Art Unit:

1645

Application No.:

10/672,477

Examiner:

Not Yet Assigned

Filing Date:

September 26, 2003

Confirmation No.:

8232

Title:

METHOD FOR SIMULTANEOUS EVALUATION OF A SAMPLE

CONTAINING A CELLULAR TARGET AND A SOLUBLE ANALYTE

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Information Disclosure Statement (2 pgs.);
- 2. Form PTO-1449 (1 pg. in duplicate);
- Two (2) References; and 3.
- Return Receipt Postcard. 4.

#### **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, October 8, 2004, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin

(Name of Person Mailing Paper)

October 8, 2004

(Date)

Gray Cary\GT\6418123.1 2102523-36

In re Application of:

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Page 2

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement, because it is being filed prior to the mailing of a first office action on the merits of the above-identified application. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: October 8, 2004

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347 Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO CUSTOMER NO. 28213



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#### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the above-identified application. For the convenience of the Examiner, the references are listed on the attached Form PTO-1449. A copy of each cited foreign patent document and non-patent publication is enclosed. In accordance with the Official Gazette notice dated August 5, 2003, waiving the requirement under 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and U.S. patent application publication for applications filed after June 30, 2003, a copy of the cited U.S. patent application is not enclosed.

It is respectfully requested that the references be considered in the examination of this application and their consideration be made of written record in the application file.

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(Name of Person Mailing Paper)	
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(6:	October 8, 2004
(Signature)	(Date)

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FORM PTO-1449 U.S. Department of Commerce Paten and Trademark Office	Bocket No.: BECK1250	Application No.: 10/672,477
	Applicants: Mills et al.	Confirmation No.: 8232
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date: September 26, 2003	Group Art Unit: 1645

### **U.S. PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	2003/0194818 A1	10/16/2003	Hechinger	436	513	09/13/2002

## FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AB	1 387 171 A1	02/04/2004	EP	G01N	33/543	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

AC	Rodriquez-Caballero et al., "Flow Cytometric Analysis of Cytokine Responses in Stimulated Whole Blood: Simultaneous Quantitation of TNF-α-Secreting Cells and Soluble Cytokines", Current Protocols in Cytometry, 2003, 9.21.1-9.21.21	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449

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FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Docket No.: BECK1250	Application No.: 10/672,477
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